

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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NICHOLAS GILBERT, individually and on behalf of  
all others similarly situated,

Plaintiff,

**STIPULATION**

v.

Civil Action No.: 15-cv-6570-EAW

EXCELLUS HEALTH PLAN, INC., a  
New York Corporation,

Defendant.

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**IT IS HEREBY STIPULATED AND AGREED** by and between the undersigned attorneys for the parties, that the time within which defendant Excellus Health Plan, Inc. may answer or otherwise respond to the Complaint is hereby extended thirty (30) days up to and including November 21, 2015.

No provision of this Stipulation shall be construed as a waiver of, and defendants expressly reserve, any and all defenses.

There has been no previous request for extension of time in connection with this matter.

Dated: October 21, 2015

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